

# Order

Michigan Supreme Court  
Lansing, Michigan

October 27, 2006

Clifford W. Taylor,  
Chief Justice

131173

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 131173  
COA: 268389  
Bay CC: 04-010378-FC

AUBREY CASSILE LOVE,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the March 31, 2006 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Bay Circuit Court to consider defendant's claim for 100 days of additional sentence credit under MCL 769.11b. The defendant avers that credit for 267 days should have been applied to his sentence instead of 167 days. If the court determines that an error was made in the number of jail credit days stated in the presentence report, it shall prepare and forward an amended judgment of sentence to the Michigan Department of Corrections. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 27, 2006

*Corbin R. Davis*

Clerk